

### REMARKS

Claims remaining in the present patent application are numbered 1-22. The rejections and comments of the Examiner set forth in the Office Action dated March 23, 2005 have been carefully considered by the Applicants. Applicants respectfully request the Examiner to consider and allow the remaining claims.

### 35 U.S.C. §102 Rejection

The present Office Action rejected Claims 1-22 under 35 U.S.C. 102(b) as being anticipated by Altschuler et al. (U.S. Patent No. 6,012,052). Applicants have reviewed the above cited references and respectfully submit that the present invention as recited in Claims 1-22, is neither anticipated nor rendered obvious by the Altschuler et al. reference.

### Independent Claim 1

Applicants respectfully point out that independent Claim 1 recites that the present invention includes, in part:

utilizing a mapping process to map said application model onto said resource model, wherein said mapping process is directed to increasing the optimization of resource utilization through appropriate assignment of resources to an application with respect to desired objectives.

The present invention pertains to a systems and method for efficient assignment of resources. In particular, independent Claim 1 recites that a mapping process is directed to increasing optimization of resource utilization through appropriate assignment of resources to an application. More specifically, the assignment of resources pertains to the assignment of resources that include *compute nodes, storage nodes, and networking components*. (See page 10, line 6 of the Specification).

Applicants respectfully note that the prior art reference, Altschuler et al., does not teach nor suggest the present *resource* assignment method that is directed to the assignment of *resources* (e.g., compute nodes, storage nodes, and networking components), as claimed in independent Claim 1 of the present invention.

In contrast to independent Claim 1 of the present invention, the Altschuler et al. reference, discloses methods and apparatus for building resource transition probability models for use in pre-fetching resources, editing resource link topology, building resource link topology templates, and collaborative filtering. In particular, the Altschuler et al. reference is directed to the methods and systems for quickly rendering desired "resources," which are information based objects that can be stored, for example.

The term "resources" as applied in the Altschuler et al. reference pertains to World Wide Web pages, HTML pages, text, graphics, images, audio, and video, or other information that can be stored, such as in cache memory. (See col. 1, lines 40-65 of the Altschuler et al. reference). That is, when the Altschuler et al. reference refers to pre-fetching "resources", editing "resource" link topology, and building "resource" link topology templates, the Altschuler et al. reference is referring to the efficient retrieval of information by predicting which information "resources" (e.g., web pages) may be linked to by a user. The Altschuler et al. reference pre-fetches the predicted information "resources" to increase overall bandwidth of a system. As such, the Altschuler et al. reference is directed to the inanalogous art of informational "resources".

The present invention, on the other hand, claims a resource assignment method that provides the appropriate assignment of *resources* to an application, as recited in independent Claim 1 of the present invention. The term *resource* as referenced in the present Application refers to compute nodes, storage nodes, and networking components. For example, specific examples of *resources* in the present invention include servers, switches, routes, firewalls, load balancers, etc. That is, in contrast to the inanalogous distribution and access of informational "resources" as

taught in the Altschuler et al. reference, embodiments of the present invention are directed to compute, storage, and networking resources (e.g., compute nodes, storage nodes, networking components, etc.).

Thus, Applicants respectfully submit that the present invention as disclosed in independent Claim 1 is not anticipated by the Altschuler et al. reference, and is in a condition for allowance. In addition, Applicants respectfully submit that Claims 2-8 which depend from independent Claim 1 are also in a condition for allowance as being dependent on an allowable base claim.

#### Independent Claims 9, 14, and 18

For analogous reasons set forth in the argument supporting the allowability of independent Claim 1, Applicants respectfully asserts that the term *resource* as applied in each of the independent Claims 9, 14, and 18 of the present invention are directed to compute, storage, and networking resources (e.g., compute nodes, storage nodes, networking components, etc.), which is distinct from the inanalogue informational "resources" taught in the Altschuler et al. reference.

For example, each of the independent Claims 9 and 14 specifically refer to the allocation of "servers" as resources, and not the distribution and allocation of

informational "resources" (e.g., html web pages) as taught in the Altschuler et al. reference. As such, in contrast to the inanalogueous distribution and access of informational "resources" as taught in the Altschuler et al. reference, embodiments of the present invention are directed to the allocation of compute, storage, and networking *resources* (e.g., compute nodes, storage nodes, networking components, etc.), as recited in independent Claims 9, 14, and 18.

Thus, Applicants respectfully submit that the present invention as disclosed in independent Claims 9, 14, and 18 is not anticipated by the Altschuler et al. reference, and is in a condition for allowance. In addition, Applicants respectfully submit that Claims 9-13 which depend from independent Claim 9 are also in a condition for allowance as being dependent on an allowable base claim. Also, Applicants respectfully submit that Claims 15-17 which depend from independent Claim 14 are also in a condition for allowance as being dependent on an allowable base claim. In addition, Applicants respectfully submit that Claims 19-22 which depend from independent Claim 18 are also in a condition for allowance as being dependent on an allowable base claim.

CONCLUSION

In light of the amendments and arguments presented herein, Applicants respectfully request reconsideration of the rejected Claims for allowance thereof.

Based on the arguments presented above, Applicants respectfully assert that Claims 1-22 overcome the rejections of record. Therefore, Applicants respectfully solicit allowance of these Claims.

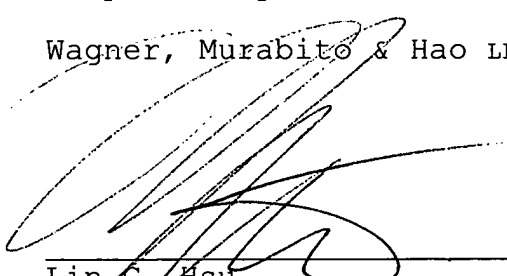
The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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Date: \_\_\_\_\_

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